



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/016,604	12/07/2001	Pablo D. Garcia	PP-16466.002

Chiron Corporation
Intellectual Property
P.O. Box 8097
Emeryville, CA 94608-2916



CONFIRMATION NO. 6543
FORMALITIES LETTER



OC000000007518037

Date Mailed: 02/22/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and



MWAK

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:) Group Art Unit: 1645
Pablo D. GARCIA et al.) BOX: MISSING PARTS
Serial No.: 10/016,604)
Filed: December 7, 2001) Docket No. 002441.00008
For: **ENDOGENOUS RETROVIRUSES**)
UP-REGULATED IN PROSTATE)
CANCER)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Assistant Commissioner of Patents
Washington, D.C. 20231
Attn: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts Of Non-provisional Application, dated February 22, 2002, the Applicants are hereby submitting the executed declaration for filing in the subject application. Accordingly, it is respectfully requested that a filing date of December 7, 2001, be granted to this application, which is the filing date the original specification and drawings were filed with the Patent and Trademark Office. A copy of the Sequence Listing in computer readable format and a Statement indicating that the contents of the Sequence Listing is identical to the written copy submitted. The formal drawings will be submitted separately.

The Commissioner is authorized to charge \$2,090.00 to Deposit Account No. 19-0733, to cover the following:

\$ 130.00 - Surcharge for late declaration; and
\$ 1,960.00 – Five month Extension of time.

U.S. Application No. 10/016,604

Attorney Docket No. 002441.00008

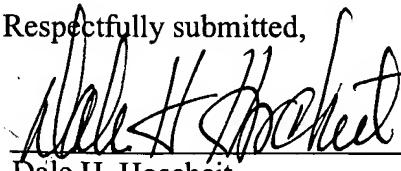
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It is believed that these fees as calculated are correct. However, if an additional fee is required, please charge Deposit Account No. 19-0733.

September 10, 2002

By:

Respectfully submitted,



Dale H. Hoscheit

Registration No. 19,090

Banner & Witcoff, LTD.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100

a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*

V. G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
2,090

Complete if Known	
Application Number	10/016,604
Filing Date	December 7, 2001
First Named Inventor	Pablo D. GARCIA et al.
Examiner Name	TBA
Group / Art Unit	TBA
Attorney Docket No.	002441.00008

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
 Order
 Deposit Account:

Deposit Account Number
19-0733

Deposit Account Name
Banner & Witcoff, Ltd.

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			** = 0	X 0 = 0	0
			** = 0	X 0 = 0	0
				X 0 = 0	0

Large Entity

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
103	18	203	9
102	84	202	42
104	280	204	140
109	84	209	42
110	18	210	9
SUBTOTAL (2)		(\$ 0)	

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	400	216	200
117	920	217	460
118	1,440	218	720
128	1,960	228	980
119	320	219	160
120	320	220	160
121	280	221	140
138	1,510	138	1,510
140	110	240	55
141	1,280	241	640
142	1,280	242	640
143	460	243	230
144	620	244	310
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
146	740	246	370
149	740	249	370
179	740	279	370
169	900	169	900
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 2,090)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Dale H. Hoscheit	Registration No. Attorney/Agent)	19,090	Telephone	1202-508-9250*
Signature				Date	September 10, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.